MASSACHUSETTS GENERAL LAWS
Mandating that Certain Health Benefits Be Provided By Commercial Insurers, Blue Cross and Blue Shield and Health Maintenance Organizations

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Listings are for informational purposes only.
Please refer to the appropriate sections of the law for specific mandated benefit provisions.
MASSACHUSETTS GENERAL LAWS  
Mandating that Certain Health Benefits Be Provided By  
Commercial Insurers, Blue Cross and Blue Shield and  
Health Maintenance Organizations

I. Services and supplies

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<td>Chiropractic services</td>
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<td>c. 176B § 4L</td>
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<td>Diabetes-related services and supplies</td>
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<td>c. 175 § 47X(f) (See c. 233 of the Acts of 2012)</td>
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<td>c. 175 § 47C (c. 111 § 67F)</td>
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1 In many cases, c.176G refers the reader to the citation listed in the commercial insurer column.
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<td>Infertility treatment</td>
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<td>c. 176A § 8K; c. 176B § 4J</td>
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<td>Lead poisoning screening</td>
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<td>Long Term Antibiotic Therapy for the Treatment of Lyme Disease</td>
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<td>Mammography</td>
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<td>c. 176A § 8J</td>
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<td>Maternity health care (including minimum maternity stay)</td>
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**Massachusetts Mandated Health Benefits**

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*March 1, 2020 revised*
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<td>Off-label uses of prescription drugs to treat cancer</td>
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<td>Off-label uses of prescription drugs to treat HIV/AIDS</td>
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<td>Oral Cancer Therapy</td>
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2 Mental health parity for certain biologically-based mental disorders is required for policies issued or renewed on or after January 1, 2001; Chapter 256 of the Acts of 2008 [applies to fully-insured health plans issued or renewed within or without the Commonwealth on or after July 1, 2009] amends M.G.L.c.175, §§47B and 108E; M.G.L. c.176A, §8A; M.G.L.c.176B, §4A; and M.G.L.c.176G, §§4B by adding eating disorders, post traumatic stress disorders, substance abuse disorders [including the treatment of alcoholism] and autism to the list of “biologically-based mental disorders” defined within these statutes. Chapter 256 makes no changes to the requirements for medically necessary services to be covered for the required biologically-based and non-biologically based mental health disorders.
## II. Providers

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<td>Certified nurse midwives</td>
<td>c. 175 § 47E</td>
<td>c. 176B § 4G</td>
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<tr>
<td>Certified registered nurse anesthetists</td>
<td>c. 175 § 47Q</td>
<td>c. 176A § 8S; c. 176B § 4T</td>
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<tr>
<td>Mental health providers:</td>
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<tr>
<td>Licensed psychiatrists, psychologist, independent clinical social worker, mental health counselor, nurse mental health clinical specialist, a licensed alcohol and drug counselor I or marriage and family therapist within the lawful scope of practice for such therapist.</td>
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<td>Nurse practitioners</td>
<td>c. 175 § 47Q</td>
<td>c. 176A § 8S; c. 176B § 4T</td>
<td>c. 176G § 4</td>
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</table>

| (2) Nondiscrimination (re: providers) | | | |
| Chiropractors | c. 175 § 108D | c. 176B § 7 | n/a |
| Dentists | c. 175 § 108B | c. 176B § 4 | n/a |
| Nurse Midwives | see “certified nurse midwives” above | c. 176B § 7 | see “certified nurse midwives” above |
| Nurse Practitioners | c. 176R | c. 176R | c. 176R |
| Optometrists | c. 175 § 108(8)(D) | c. 176B § 4 | n/a |
| Podiatrists | c. 175 § 110(I) | c. 176B § 4 | c. 176G § 1 |

(See “nondiscriminatory”)

| (3) Contracting | | | |
| Good faith communication (a.k.a. “gag rule” prohibition) | c. 175 § 108(11) | c. 176B § 7 | c. 176G § 6 |
| See also c. 176I §2 for preferred provider arrangements | | | |
### II. Providers (cont’d)

#### (3) Contracting (cont’d)

| Pharmacy freedom of choice: any willing provider | c. 176D § 3B (211 CMR 44.00) | c. 176D § 3B (211 CMR 44.00) | c. 176D § 3B (211 CMR 44.00) |
| Provider protection re: 48/96-hour maternity stay | St. 1995, c. 218 § 9 | St. 1995, c. 218 § 9 | St. 1995, c. 218 § 9 |
| Prompt payment of claims See also c. 176I § 2 for insured preferred provider plans | See page 6 under “other” | c. 176B § 7 | c. 176G § 6 |

### III. Eligibility

#### (1) Dependents

| Dependent coverage: newborn infants children of dependents adopted children See also “Disabled Adult Children” under Section V | c. 175 § 47C | c. 176A § 8B; c. 176B § 4C | c. 176G § 4 |
| Eligibility as a Dependent [See “Bulletin 2008-01”] | c. 175 § 108.2.(a)(3) | c. 176A § 8BB; c. 176B § 4BB | c. 176G § 4T |
| Blind or deaf persons Diethylstilbestrol exposure Victims of domestic abuse Genetic testing/genetic information: use prohibited in health insurance See also c. 176I §4A for insured preferred provider plans Genetic testing/genetic information: limits on use for long-term care and disability income insurance | c. 175 § 108A | c. 176A § 8C; c. 176B § 4D n/a | c. 176A § 8E; c. 176B § 4E n/a | c. 176A § 3A; c. 176B § 5A c. 176G § 19 | c. 175 § 108H c. 176A § 3B; c. 176B § 5B c. 176G § 24 | c. 175 § 108I n/a n/a |
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<td>Confidentiality of mental health information</td>
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<td>See also “Mental health care” on page 2, including footnote</td>
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<td>c. 176G §§ 4B, 4M</td>
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V. **State-mandated**

**Continuation of Health Coverage**

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<td>(2) Following Separation from Employment</td>
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<td>Employee after termination due to plant closing or partial closing</td>
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<td>c. 175 § 110G</td>
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<td>Group member after leaving insured group</td>
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<td>c. 176J § 9</td>
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<td>(4) Disabled adult children</td>
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VI. **Other**

| Alternative dental coverage option | c. 175 § 110K | n/a | c. 176G § 11A |
| Coordination of benefits | 211 CMR 38.00 | 211 CMR 38.00 | 211 CMR 38.00 |
| Emergency services provided to insureds for emergency medical conditions | M.G.L. c. 175 § 47U | M.G.L. c. 176A § 8U and M.G.L. c. 176B § 4U | M.G.L. c. 176G § 5 |
| Prompt payment of claims | c. 175 §§ 108 and 110 | c. 176A § 8 | See page 4: “provider contracting” |
| | See also c. 176I § 2 for insured preferred provider plans | | |
| Telemedicine Services | c. 175 § 47BB | n/a | n/a |